

Senate File 206 - Enrolled

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SENATE FILE 206

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1 3 AN ACT
1 4 RELATING TO DEER POPULATION MANAGEMENT AND PROVIDING PENALTIES
1 5 AND APPROPRIATIONS.
1 6
1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 8
1 9 Section 1. Section 170.1, subsection 4, Code 2005, is
1 10 amended to read as follows:
1 11 4. a. "Farm deer" means an animal belonging to the
1 12 cervidae family and classified as part of the dama species of
1 13 the dama genus, commonly referred to as fallow deer; part of
1 14 the elaphus species of the cervus genus, commonly referred to
1 15 as red deer or elk; part of the virginianus species of the
1 16 odocoileus genus, commonly referred to as whitetail; part of
1 17 the hemionus species of the odocoileus genus, commonly
1 18 referred to as mule deer; or part of the nippon species of the
1 19 cervus genus, commonly referred to as sika. ~~However, a farm~~
1 20 ~~deer~~
1 21 b. "Farm deer" does not include any unmarked free-ranging
1 22 elk, whitetail, or mule deer. "Farm deer" also does not
1 23 include preserve whitetail which are kept on a hunting
1 24 preserve as provided in chapter 484C.
1 25 Sec. 2. NEW SECTION. 170.1A APPLICATION OF CHAPTER.
1 26 1. A landowner shall not keep whitetail unless the
1 27 whitetail are kept as farm deer under this chapter or kept as
1 28 preserve whitetail on a hunting preserve pursuant to chapter
1 29 484C.
1 30 2. This chapter authorizes the department of agriculture
1 31 and land stewardship to regulate whitetail kept as farm deer.
1 32 However, the department of natural resources shall regulate
1 33 preserve whitetail kept on a hunting preserve pursuant to
1 34 chapter 484C.
1 35 Sec. 3. Section 483A.1, subsection 2, paragraphs f through
2 1 u, Code 2005, are amended to read as follows:
2 2 f. Deer hunting license, antlerless deer only, required
2 3 with the purchase of an antlered or any sex deer hunting license
2 4 \$ 100.00
2 5 ~~f.~~ g. Deer hunting license, antlerless deer only
2 6 \$ 150.00
2 7 ~~g.~~ h. Wild turkey hunting license \$ 100.00
2 8 ~~h.~~ i. Fur harvester license \$ 200.00
2 9 ~~i.~~ j. Fur dealer license \$ 501.00
2 10 ~~j.~~ k. Location permit for fur dealers \$ 56.00
2 11 ~~k.~~ l. Aquaculture unit license \$ 56.00
2 12 ~~l.~~ m. Retail bait dealer license \$ 125.00
2 13 or the amount for the same type of license in
2 14 the nonresident's state, whichever is greater
2 15 ~~m.~~ n. Trout fishing fee \$ 13.00
2 16 ~~n.~~ o. Game breeder license \$ 26.00
2 17 ~~o.~~ p. Taxidermy license \$ 26.00
2 18 ~~p.~~ q. Falconry license \$ 26.00
2 19 ~~q.~~ r. Wildlife habitat fee \$ 8.00
2 20 ~~r.~~ s. Migratory game bird fee \$ 8.00
2 21 ~~s.~~ t. Fishing license, three-day \$ 15.50
2 22 ~~t.~~ u. Wholesale bait dealer license \$ 250.00
2 23 or the amount for the same type of license in
2 24 the nonresident's state, whichever is greater
2 25 ~~u.~~ v. Fishing license, one-day \$ 8.50
2 26 Sec. 4. Section 483A.8, subsections 1, 3, and 6, Code
2 27 2005, are amended to read as follows:
2 28 1. A resident hunting deer who is required to have a
2 29 hunting license must have a resident hunting license in
2 30 addition to the deer hunting license and must pay the wildlife
2 31 habitat fee. In addition, a resident who purchases a deer
2 32 hunting license shall pay a one dollar fee that shall be used
2 33 and is appropriated for the purpose of deer herd population
2 34 management, including assisting with the cost of processing
2 35 deer donated to the help us stop hunger program administered
3 1 by the commission.
3 2 3. a. A nonresident hunting deer is required to have a
3 3 nonresident hunting license and a nonresident deer license and
3 4 must pay the wildlife habitat fee. In addition, a nonresident
3 5 who purchases a deer hunting license shall pay a one dollar

3 6 fee that shall be used and is appropriated for the purpose of
3 7 deer herd population management, including assisting with the
3 8 cost of processing deer donated to the help us stop hunger
3 9 program administered by the commission.

3 10 b. A nonresident who purchases an antlered or any sex deer
3 11 hunting license pursuant to section 483A.1, subsection 2,
3 12 paragraph "e", is required to purchase an antlerless deer only
3 13 deer hunting license at the same time, pursuant to section
3 14 483A.1, subsection 2, paragraph "f".

3 15 c. The commission shall annually limit to ~~eight~~ six
3 16 thousand ~~five hundred~~ licenses the number of nonresidents
3 17 allowed to have antlered or any sex deer hunting licenses. Of
3 18 the ~~first~~ six thousand nonresident antlered or any sex deer
3 19 licenses issued, not more than thirty-five percent of the
3 20 licenses shall be bow season licenses and, after, After the
3 21 ~~first~~ six thousand antlered or any sex nonresident deer
3 22 licenses have been issued, all additional licenses shall be
3 23 issued for antlerless deer only. The commission shall
3 24 annually determine the number of nonresident antlerless deer
3 25 only deer hunting licenses that will be available for
3 26 issuance.

3 27 d. The commission shall allocate ~~the~~ all nonresident deer
3 28 hunting licenses issued among the zones based on the
3 29 populations of deer. However, a nonresident applicant may
3 30 request one or more hunting zones, in order of preference, in
3 31 which the applicant wishes to hunt. If the request cannot be
3 32 fulfilled, the applicable fees shall be returned to the
3 33 applicant. A nonresident applying for a deer hunting license
3 34 must exhibit proof of having successfully completed a hunter
3 35 safety and ethics education program as provided in section
4 1 483A.27 or its equivalent as determined by the department
4 2 before the license is issued.

4 3 6. The commission shall provide by rule for the annual
4 4 issuance to a nonresident of a nonresident antlerless deer
4 5 hunting license that is valid for use only during the period
4 6 beginning on December 24, ~~2003~~, and ending at sunset on
4 7 January 2, ~~2004~~ of the following year, and costs fifty
4 8 dollars. A nonresident hunting deer with a license issued
4 9 under this subsection shall be otherwise qualified to hunt
4 10 deer in this state and shall have a nonresident hunting
4 11 license, and pay the wildlife habitat fee, and pay the one
4 12 dollar fee for the purpose of deer herd population management
4 13 as provided in subsection 3. Pursuant to this subsection, the
4 14 commission shall make available for issuance only the
4 15 remaining nonresident antlerless deer hunting licenses
4 16 allocated under subsection 3 that have not yet been issued for
4 17 the ~~2003--2004~~ current year's nonresident antlerless deer
4 18 hunting seasons.

4 19 Sec. 5. NEW SECTION. 483A.8A DEER HARVEST REPORTING
4 20 SYSTEM.

4 21 1. The commission shall provide, by rule, for the
4 22 establishment of a deer harvest reporting system for the
4 23 purpose of collecting information from deer hunters concerning
4 24 the deer population in this state. Each person who is issued
4 25 a deer hunting license in this state shall report such
4 26 information pursuant to this section. Information collected
4 27 by the commission pursuant to the deer harvest reporting
4 28 system from a deer hunter who takes a deer shall be limited to
4 29 the following:

- 4 30 a. The county where the deer was taken.
4 31 b. The season during which the deer was taken.
4 32 c. The sex of the deer taken.
4 33 d. The age of the deer taken.
4 34 e. The type of weapon used.
4 35 f. The hunting license number of the hunter.
5 1 g. The number of days the hunter hunted.
5 2 h. The total number of deer taken by the hunter.

5 3 2. The deer harvest reporting system established by the
5 4 commission shall utilize and is limited to utilizing one or
5 5 more of the following methods of reporting deer taken by
5 6 hunters:

- 5 7 a. A toll-free telephone number.
5 8 b. A postcard.
5 9 c. Reporting at an electronic licensing location.
5 10 d. Electronic internet communication.

5 11 Sec. 6. Section 483A.24, subsection 2, paragraph a,
5 12 subparagraph (2), Code 2005, is amended to read as follows:

5 13 (2) "Farm unit" means all parcels of land, ~~not necessarily~~
5 14 which are certified by the commission pursuant to rule as
5 15 meeting all of the following requirements:

- 5 16 (a) Are in tracts of two or more contiguous, acres.

5 17 ~~(b) which are~~ Are operated as a unit for agricultural
5 18 purposes ~~and which are.~~

5 19 ~~(c) Are~~ Are under the lawful control of the owner or the
5 20 tenant.

5 21 Sec. 7. Section 483A.24, subsection 2, paragraph b, Code
5 22 2005, is amended to read as follows:

5 23 b. Upon written application on forms furnished by the
5 24 department, the department shall issue annually without fee
5 25 ~~one deer or one wild turkey license, or both,~~ to the owner of
5 26 a farm unit or to a member of the owner's family, but not to
5 27 both, and to the tenant or to a member of the tenant's family,
5 28 but not to both. ~~The deer hunting license or wild turkey~~
5 29 ~~hunting license issued shall be valid only on the farm unit~~
5 30 ~~for which an applicant qualifies pursuant to this subsection~~
5 31 ~~and shall be equivalent to the least restrictive license~~
5 32 ~~issued under section 481A.38. The owner or the tenant need~~
5 33 ~~not reside on the farm unit to qualify for a free license to~~
5 34 ~~hunt on that farm unit. A free deer hunting license issued~~
5 35 ~~pursuant to this subsection shall be valid during all shotgun~~
6 1 ~~deer seasons.~~

6 2 Sec. 8. Section 483A.24, subsection 2, Code 2005, is
6 3 amended by adding the following new paragraph:

6 4 NEW PARAGRAPH. c. Upon written application on forms
6 5 furnished by the department, the department shall issue
6 6 annually without fee two deer hunting licenses, one antlered
6 7 or any sex deer hunting license and one antlerless deer only
6 8 deer hunting license, to the owner of a farm unit or a member
6 9 of the owner's family, but only a total of two licenses for
6 10 both, and to the tenant of a farm unit or a member of the
6 11 tenant's family, but only a total of two licenses for both.
6 12 The deer hunting licenses issued shall be valid only for use
6 13 on the farm unit for which the applicant applies pursuant to
6 14 this paragraph. The owner or the tenant need not reside on
6 15 the farm unit to qualify for the free deer hunting licenses to
6 16 hunt on that farm unit. The free deer hunting licenses issued
6 17 pursuant to this paragraph shall be valid and may be used
6 18 during any shotgun deer season. The licenses may be used to
6 19 harvest deer in two different seasons. In addition, a person
6 20 who receives a free deer hunting license pursuant to this
6 21 paragraph shall pay a one dollar fee for each license that
6 22 shall be used and is appropriated for the purpose of assisting
6 23 with the cost of processing deer donated to the help us stop
6 24 hunger program administered by the commission.

6 25 Sec. 9. Section 483A.24, subsection 2, paragraphs c and d,
6 26 Code 2005, are amended to read as follows:

6 27 ~~c- d.~~ In addition to the free deer hunting ~~license~~
6 28 ~~licenses~~ received pursuant to paragraph "c", an owner of a
6 29 farm unit or a member of the owner's family and the tenant or
6 30 a member of the tenant's family may purchase a deer hunting
6 31 license for any option offered to paying deer hunting
6 32 licensees. An owner of a farm unit or a member of the owner's
6 33 family and the tenant or a member of the tenant's family may
6 34 also purchase two additional antlerless deer hunting licenses
6 35 which are valid only on the farm unit for a fee of ten dollars

7 1 each.
7 2 ~~d- e.~~ If the commission establishes a deer hunting season
7 3 to occur in the first quarter of a calendar year that is
7 4 separate from a deer hunting season that continues from the
7 5 last quarter of the preceding calendar year, each owner and
7 6 each tenant of a farm unit located within a zone where a deer
7 7 hunting season is established, upon application, shall be
7 8 issued a free deer hunting license for each of the two
7 9 calendar quarters. Each license is valid only for hunting on
7 10 the farm unit of the owner and tenant.

7 11 Sec. 10. Section 483A.24, subsection 2, Code 2005, is
7 12 amended by adding the following new paragraph:

7 13 NEW PARAGRAPH. f. A deer hunting license or wild turkey
7 14 hunting license issued pursuant to this subsection shall be
7 15 attested by the signature of the person to whom the license is
7 16 issued and shall contain a statement in substantially the
7 17 following form:

7 18 By signing this license I certify that I qualify as an
7 19 owner or tenant under Iowa Code section 483A.24.

7 20 A person who makes a false attestation as described in this
7 21 paragraph is guilty of a simple misdemeanor. In addition, the
7 22 person's hunting license shall be revoked and the person shall
7 23 not be issued a hunting license for a period of one year.

7 24 Sec. 11. NEW SECTION. 483A.24B SPECIAL DEER HUNTS.

7 25 1. The commission may establish a special season deer hunt
7 26 for antlerless deer in those counties where paid antlerless
7 27 only deer hunting licenses remain available for issuance.

7 28 2. Antlerless deer may be taken by shotgun, muzzleloading
7 29 rifle, muzzleloading pistol, handgun, or bow during the
7 30 special season as provided by the commission by rule.
7 31 3. Prior to December 15, a resident may obtain up to three
7 32 paid antlerless only deer hunting licenses for the special
7 33 season regardless of how many paid or free gun or bow deer
7 34 hunting licenses the person may have already obtained.
7 35 Beginning December 15, a resident or nonresident may purchase
8 1 an unlimited number of antlerless only deer hunting licenses
8 2 for the special season.
8 3 4. All antlerless deer hunting licenses issued pursuant to
8 4 this section shall be included in the quotas established by
8 5 the commission by rule for each county and shall be available
8 6 in each county only until the quota established by the
8 7 commission for that county is filled.
8 8 5. The daily bag and possession limit during the special
8 9 season is one deer per license. The tagging requirements are
8 10 the same as for the regular gun season.
8 11 6. A person who receives a license pursuant to this
8 12 section shall be otherwise qualified to hunt deer in this
8 13 state and shall have a hunting license and pay the wildlife
8 14 habitat fee.
8 15 7. A person violating a provision of this section or a
8 16 rule adopted pursuant to this section is guilty of a simple
8 17 misdemeanor punishable as a scheduled violation as provided in
8 18 section 483A.42.
8 19 Sec. 12. NEW SECTION. 483A.24C DEER DEPREDATION
8 20 MANAGEMENT AGREEMENTS == PERMITS.
8 21 It is the intent of the general assembly that the
8 22 department shall administer and enforce the administrative
8 23 rules concerning deer depredation that are contained in 571
8 24 IAC chapter 106.
8 25 Sec. 13. Section 484B.3, Code 2005, is amended to read as
8 26 follows:
8 27 484B.3 AUTHORITY OF THE DIRECTOR.
8 28 1. The director shall develop, administer, and enforce
8 29 hunting preserve programs and requirements within the state
8 30 which implement the provisions of this chapter and the rules
8 31 adopted by the commission pursuant to this chapter.
8 32 2. The chapter does not apply to keeping farm deer as
8 33 defined in section 170.1 as regulated by the department of
8 34 agriculture and land stewardship pursuant to chapter 170 or to
8 35 preserve whitetail kept on a hunting preserve as regulated by
9 1 the department of natural resources pursuant to chapter 484C.
9 2 Sec. 14. NEW SECTION. 484C.1 DEFINITIONS.
9 3 As used in this chapter, unless the context otherwise
9 4 requires:
9 5 1. "Commission" means the natural resource commission as
9 6 created pursuant to section 455A.6.
9 7 2. "Department" means the department of natural resources
9 8 as created pursuant to section 455A.2.
9 9 3. "Documented event" includes but is not limited to the
9 10 birth, death, harvest, transfer for consideration, or release
9 11 of preserve whitetail.
9 12 4. "Fence" means a boundary fence which encloses preserve
9 13 whitetail within a landowner's property as required to be
9 14 constructed and maintained pursuant to this chapter.
9 15 5. "Hunting preserve" means land where a landowner keeps
9 16 preserve whitetail as part of a business, if the business's
9 17 purpose is to provide persons with the opportunity to hunt the
9 18 preserve whitetail.
9 19 6. "Landowner" means a person who holds an interest in
9 20 land, including a titleholder.
9 21 7. "Preserve whitetail" means whitetail kept on a hunting
9 22 preserve.
9 23 8. "Whitetail" means an animal belonging to the cervidae
9 24 family and classified as part of the virginianus species of
9 25 the odocoileus genus.
9 26 Sec. 15. NEW SECTION. 484C.2 APPLICATION OF CHAPTER.
9 27 1. A landowner shall not keep whitetail unless the
9 28 whitetail are kept as preserve whitetail pursuant to this
9 29 chapter or as farm deer pursuant to chapter 170.
9 30 2. This chapter authorizes the department of natural
9 31 resources to regulate preserve whitetail. However, the
9 32 department of agriculture and land stewardship shall regulate
9 33 whitetail kept as farm deer pursuant to chapter 170.
9 34 Sec. 16. NEW SECTION. 484C.3 RULES.
9 35 The department shall adopt rules pursuant to chapter 17A as
10 1 necessary to administer this chapter.
10 2 Sec. 17. NEW SECTION. 484C.4 DEPARTMENTAL PROGRAMS AND
10 3 REQUIREMENTS.

10 4 The department shall develop, administer, and enforce
10 5 hunting preserve programs and requirements, which implement
10 6 the provisions of this chapter and rules adopted by the
10 7 department pursuant to section 484C.3, regarding fencing,
10 8 recordkeeping, reporting, and the tagging, transportation,
10 9 testing, and monitoring for disease of preserve whitetail.
10 10 Sec. 18. NEW SECTION. 484C.5 MINIMUM ENCLOSED ACREAGE ==
10 11 EXCEPTIONS.
10 12 A hunting preserve must include at least three hundred
10 13 twenty contiguous acres which are enclosed by a fence
10 14 certified pursuant to section 484C.6. However, the hunting
10 15 preserve may include a fewer number of enclosed acres if any
10 16 of the following applies:
10 17 1. The commission grants a waiver for the hunting preserve
10 18 according to terms and conditions required by the commission.
10 19 The hunting preserve must include at least one hundred sixty
10 20 contiguous acres.
10 21 2. a. The hunting preserve was operated as a business on
10 22 January 1, 2005.
10 23 b. If the hunting preserve operated as a business on
10 24 January 1, 2005, the landowner or the landowner's successor in
10 25 interest may sell or otherwise transfer ownership of the
10 26 hunting preserve to another person who may continue to operate
10 27 the hunting preserve in the same manner as the landowner.
10 28 However, this paragraph shall not apply if the owner of the
10 29 hunting preserve or any successor in interest fails to
10 30 register with the department as provided in section 484C.7 for
10 31 three or more consecutive years.
10 32 3. a. The hunting preserve was not operated as a business
10 33 on January 1, 2005, and all of the following apply:
10 34 (1) The hunting preserve has at least one hundred
10 35 contiguous acres.
11 1 (2) The hunting preserve's fence is certified by the
11 2 department not later than September 1, 2005.
11 3 b. If the hunting preserve complies with paragraph "a",
11 4 the landowner or the landowner's successor in interest may
11 5 sell or otherwise transfer ownership of the hunting preserve
11 6 to another person who may continue to operate the hunting
11 7 preserve in the same manner as the landowner. However, this
11 8 paragraph shall not apply if the owner of the hunting preserve
11 9 or any successor in interest fails to register with the
11 10 department as provided in section 484C.7 for three or more
11 11 consecutive years.
11 12 Sec. 19. NEW SECTION. 484C.6 FENCING == CERTIFICATION.
11 13 1. A fence required to enclose preserve whitetail under
11 14 section 484C.5 must be constructed and maintained as
11 15 prescribed by rules adopted by the department and as certified
11 16 by the department. The fence shall be constructed and
11 17 maintained to ensure that the preserve whitetail are kept in
11 18 the enclosure and all other whitetail are excluded from the
11 19 enclosure.
11 20 2. A fence that was certified by the department of
11 21 agriculture and land stewardship pursuant to chapter 170 prior
11 22 to the effective date of this Act shall be certified by the
11 23 department of natural resources.
11 24 3. A fence shall be at least eight feet in height above
11 25 ground level. The enclosure shall be posted with signs as
11 26 prescribed by rules adopted by the department.
11 27 4. The department may require that the fence be inspected
11 28 and approved by the department prior to certification. The
11 29 department shall periodically inspect the fence at any
11 30 reasonable time by appointment or by providing the landowner
11 31 with at least forty-eight hours' notice.
11 32 Sec. 20. NEW SECTION. 484C.7 REGISTRATION AND FEE.
11 33 A landowner who keeps preserve whitetail shall annually
11 34 register the landowner's hunting preserve with the department
11 35 by June 30. The landowner shall pay the department a
12 1 registration fee. The amount of the registration fee shall
12 2 not exceed three hundred fifty dollars per fiscal year. The
12 3 fee shall be deposited into the state fish and game protection
12 4 fund.
12 5 Sec. 21. NEW SECTION. 484C.8 REQUIREMENTS FOR RELEASING
12 6 WHITETAIL == PROPERTY INTERESTS.
12 7 A person shall not release whitetail kept as preserve
12 8 whitetail onto land unless the landowner complies with all of
12 9 the following:
12 10 1. The landowner must notify the department at least
12 11 thirty days prior to first releasing the preserve whitetail on
12 12 the land. The notice shall be provided in a manner required
12 13 by the department. The notice must at least provide all of
12 14 the following:

12 15 a. A statement verifying that the fence which encloses the
12 16 land is certified by the department pursuant to section
12 17 484C.6.

12 18 b. The landowner's name.

12 19 c. The location of the land enclosed by the fence.

12 20 2. The landowner shall cooperate with the department to
12 21 remove any whitetail from the enclosed land. However, after
12 22 the thirtieth day following receipt of the notice, the state
12 23 shall relinquish its property interest in any remaining
12 24 whitetail that the landowner and the department were unable to
12 25 remove from the enclosed land. Any remaining whitetail
12 26 existing at that time on the enclosed land, and any progeny of
12 27 the whitetail, shall become preserve whitetail and property of
12 28 the landowner.

12 29 3. A hunting preserve may include whitetail which were
12 30 regulated as farm deer by the department of agriculture and
12 31 land stewardship pursuant to chapter 170 and transported to
12 32 the hunting preserve. The whitetail shall be considered farm
12 33 deer until released onto the hunting preserve. Once released
12 34 onto the hunting preserve, the whitetail and its progeny
12 35 become preserve whitetail and are subject to regulation by the
13 1 department of natural resources.

13 2 Sec. 22. NEW SECTION. 484C.9 DOCUMENTATION ==
13 3 INSPECTIONS.

13 4 1. The department shall prepare forms for documents,
13 5 including records and reports, and provide such forms to
13 6 landowners in order to comply with this section. The
13 7 department shall provide procedures for the receipt, filing,
13 8 processing, and return of documents in an electronic format.
13 9 The department shall provide for the authentication of the
13 10 documents that may include electronic signatures as provided
13 11 in chapter 554D. However, this subsection does not require a
13 12 landowner to complete or receive a document in an electronic
13 13 format.

13 14 2. A landowner who operates a hunting preserve shall do
13 15 all of the following:

13 16 a. Keep records as required by the department. The
13 17 records shall be open for inspection at any reasonable time by
13 18 the department.

13 19 b. File an annual report with the department on or before
13 20 June 30. The report shall describe the hunting preserve
13 21 operations during the preceding twelve months. The original
13 22 report shall be forwarded to the department and a copy shall
13 23 be retained in the hunting preserve's file for three years
13 24 from the date of expiration of the landowner's last
13 25 registration as provided in section 484C.7.

13 26 c. Keep a record of a documented event as required by the
13 27 department. The record of the documented event shall be
13 28 entered in the annual report required in this section. The
13 29 record of the documented event shall be maintained by the
13 30 landowner and submitted to the department. The entry of the
13 31 documented event shall be made within twenty-four hours after
13 32 its occurrence as prescribed by departmental rule.

13 33 Sec. 23. NEW SECTION. 484C.10 TAKING PRESERVE WHITETAIL
13 34 == TRANSPORTATION TAGS.

13 35 The department shall provide transportation tags to a
14 1 landowner for use in identifying the carcass of preserve
14 2 whitetail.

14 3 1. The tags shall be used to designate all preserve
14 4 whitetail taken by persons on the hunting preserve. A person
14 5 taking the preserve whitetail shall tag the preserve whitetail
14 6 in accordance with the rules adopted by the department.

14 7 2. The preserve whitetail taken on a hunting preserve
14 8 shall be tagged prior to being removed from the hunting
14 9 preserve.

14 10 3. A tag shall remain attached to the carcass of the dead
14 11 preserve whitetail until processed for consumption. The
14 12 person taking the preserve whitetail shall be provided with a
14 13 bill of sale by the landowner. The bill of sale shall remain
14 14 in the possession of the person taking the preserve whitetail.

14 15 4. Preserve whitetail tags issued to a hunting preserve
14 16 are not transferable.

14 17 Sec. 24. NEW SECTION. 484C.11 TAKING PRESERVE WHITETAIL
14 18 == PROCESSING.

14 19 If preserve whitetail have been taken, the harvested
14 20 preserve whitetail may be processed by the hunting preserve as
14 21 prescribed by rules adopted by the department. The rules
14 22 shall provide for the marking and shipment of meat.

14 23 Sec. 25. NEW SECTION. 484C.12 HEALTH REQUIREMENTS ==
14 24 CHRONIC WASTING DISEASE.

14 25 1. Preserve whitetail that are purchased, propagated,

14 26 confined, released, or sold by a hunting preserve shall be
14 27 free of diseases considered reportable for wildlife, poultry,
14 28 or livestock. The department may provide for the quarantine
14 29 of diseased preserve whitetail that threaten the health of
14 30 animal populations.

14 31 2. The landowner, or the landowner's veterinarian, and an
14 32 epidemiologist designated by the department shall develop a
14 33 plan for eradicating a reportable disease among the preserved
14 34 whitetail population. The plan shall be designed to reduce
14 35 and then eliminate the reportable disease, and to prevent the
15 1 spread of the disease to other animals. The plan must be
15 2 developed and signed within sixty days after a determination
15 3 that the preserved whitetail population is affected with the
15 4 disease. The plan must address population management and
15 5 adhere to rules adopted by the department. The plan must be
15 6 formalized as a memorandum of agreement executed by the
15 7 landowner or landowner's veterinarian and the epidemiologist.
15 8 The plan must be approved by the department.

15 9 Sec. 26. NEW SECTION. 484C.13 PENALTIES.

15 10 1. A person who violates a provision of this chapter or a
15 11 rule adopted pursuant to this chapter is guilty of a simple
15 12 misdemeanor.

15 13 2. A landowner who keeps preserve whitetail and who fails
15 14 to register with the department as required in section 484C.7
15 15 is subject to a civil penalty of not more than two thousand
15 16 five hundred dollars. The civil penalty shall be deposited in
15 17 the state fish and game protection fund.

15 18 3. The department may suspend or revoke a fence
15 19 certification issued pursuant to section 484C.6 if the
15 20 department determines that a landowner has done any of the
15 21 following:

15 22 a. Provided false information to the department in an
15 23 application for fence certification pursuant to section
15 24 484C.6.

15 25 b. Failed to provide access to the department for an
15 26 inspection as provided in this chapter.

15 27 c. Failed to maintain adequate records or to submit timely
15 28 reports as provided in section 484C.9.

15 29 d. Failed to maintain a fence enclosing the land where
15 30 preserve whitetail are kept as required by this chapter. The
15 31 department shall not suspend or revoke a certification, if the
15 32 landowner remedies each item as provided in a notice of
15 33 deficiency delivered to the landowner by the department. The
15 34 remedies shall be completed within seven days from receipt of
15 35 the notice. The notice shall be hand delivered or sent by
16 1 certified mail.

16 2 Sec. 27. Section 483A.24A, Code 2005, is repealed.

16 3 Sec. 28. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
16 4 AND DEPARTMENT OF NATURAL RESOURCES == JOINT STUDY AND
16 5 RECOMMENDATIONS.

16 6 1. The department of agriculture and land stewardship and
16 7 the department of natural resources shall conduct a joint
16 8 study to consider issues relating to keeping of whitetail farm
16 9 deer pursuant to Code chapter 170 and keeping preserve
16 10 whitetail as part of a hunting preserve pursuant to Code
16 11 chapter 484C as enacted by this Act. As part of the study,
16 12 the departments shall consider all of the following:

16 13 a. The fair and effective regulation of whitetail farm
16 14 deer and preserve whitetail by the departments.

16 15 b. Threats to whitetail farm deer, preserve whitetail, and
16 16 state-owned whitetail caused by potential outbreaks of
16 17 infectious diseases including but not limited to chronic
16 18 wasting disease, and methods to cooperate in monitoring and
16 19 controlling infectious diseases and obtaining federal moneys
16 20 necessary to provide for the prevention and suppression of
16 21 infectious diseases.

16 22 2. The departments shall jointly report the results of the
16 23 study, including findings and recommendations, to the
16 24 government oversight committees by November 2005 as required
16 25 by the committees.

16 26 Sec. 29. DEPARTMENT OF NATURAL RESOURCES AND HUNTING
16 27 PRESERVE INDUSTRY == JOINT STUDY AND RECOMMENDATIONS.

16 28 1. A preserve whitetail committee is established. The
16 29 committee shall be composed of the following:

16 30 a. Not more than five persons appointed by the governor
16 31 who shall be members of the Iowa whitetail deer association.

16 32 b. Not more than five persons appointed by the director of
16 33 the department of natural resources who shall be knowledgeable
16 34 regarding hunting preserves.

16 35 2. The committee shall develop recommendations for
17 1 industry standards and guidelines to be used by the natural

17 2 resource commission when considering the granting of waivers
17 3 for minimum acreage requirements for hunting preserves as
17 4 provided in section 484C.5 as enacted in this Act.
17 5 3. The committee shall submit the recommendations required
17 6 in this section to the natural resource commission by January
17 7 1, 2006.

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JOHN P. KIBBIE
President of the Senate

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CHRISTOPHER C. RANTS
Speaker of the House

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17 19 I hereby certify that this bill originated in the Senate and

17 20 is known as Senate File 206, Eighty-first General Assembly.

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MICHAEL E. MARSHALL
Secretary of the Senate

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17 26 Approved _____, 2005

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17 30 _____
THOMAS J. VILSACK

17 31 Governor